

KAPLAN HECKER & FINK LLP

350 FIFTH AVENUE | SUITE 7110
NEW YORK, NEW YORK 10118
TEL (212) 763-0883 | FAX (212) 564-0883
WWW.KAPLANHECKER.COM

DIRECT DIAL 212.763.0883

DIRECT EMAIL rkaplan@kaplanhecker.com

January 15, 2021

BY ECF

The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: Baldeo v. Airbnb, Inc., No. 20 Civ. 07771 (S.D.N.Y.)

Dear Judge Gardephe:

We write on behalf of Defendant Airbnb, Inc. (“Airbnb”) to respectfully request that the Court enter a briefing schedule for Airbnb’s anticipated motion to dismiss following Plaintiffs’ failure to respond to Airbnb’s pre-motion letter as required by Your Honor’s Individual Rules of Practice.

On January 11, Airbnb filed a letter requesting a pre-motion conference and outlining the deficiencies in Plaintiffs’ Complaint that warrant dismissal for failure to state a claim. *See* Doc. No. 12. Pursuant to Rule IV.A of Your Honor’s Individual Rules of Practice, Plaintiffs’ responsive letter was due yesterday, January 14. Plaintiffs did not file their response.

Accordingly, Airbnb requests that the Court order Airbnb’s motion to dismiss to be briefed on the following schedule:

February 12 Airbnb’s motion to dismiss

February 26 Plaintiffs’ opposition

March 5 Airbnb’s reply

In addition, given the significant deficiencies in the pleading, Airbnb respectfully submits that no discovery is necessary or appropriate at this time. Airbnb, therefore, requests that the Court adjourn *sine die* the initial conference currently scheduled for January 28, 2021.

KAPLAN HECKER & FINK LLP

2

We thank the Court for its attention to these matters.

Respectfully submitted,



Roberta A. Kaplan

cc: Counsel of Record (by ECF)

MEMO ENDORSED

The application is granted. The following schedule applies to Defendant's motion to dismiss:

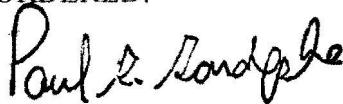
The deadline for Defendant's motion to dismiss is February 12, 2021.

The deadline for Plaintiffs' opposition is March 5, 2021.

The deadline for Defendant's reply is March 12, 2021.

The conference scheduled for January 28, 2021 is adjourned sine die.

SO ORDERED.



Paul G. Gardephe
United States District Judge

January 20, 2021